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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/250,340

02/16/1999

YIK HEI SIA

TAY-101

1943

23371

7590

12/14/2006

CROCKETT & CROCKETT  
24012 CALLE DE LA PLATA  
SUITE 400  
LAGUNA HILLS, CA 92653

EXAMINER

KAZIMI, HANI M

ART UNIT

PAPER NUMBER

3691

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/250,340

Applicant(s)

SIA, YIK HEI

Examiner

Hani Kazimi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 September 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-21, 23-32, 35 and 37-53 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 7-21, 23-32, 35 and 37-53 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This communication is in response to Applicant's amendment filed on September 28, 2006. Claims 1-5, 7-21, 23-32, 35 and 37-53 are pending in the application.

#### ***Claim Objections***

2. Claim 41 is objected for having an improper status identifier, (previously presented) should have been (currently amended). Appropriate correction is required

#### ***Claim Rejections – 35 U.S.C. 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or unobviousness.

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5. Claims 1-5, 7-21, 23-32, 35 and 37-53 are rejected under 35 U.S.C. 103(a) as being obvious over Zampese (U.S. Patent No. 6,014,650) in view of Thomas et al (U.S. Patent No. 5,393,963).

Claims 1-5, 7-21, 23-32, 35 and 37-53, Zampese discloses a method and a corresponding system for establishing secure connections between a provider and a customer as discussed in paragraph 6 of the previous office. Further:

Zampese fails to teach that a failure to match the subsequent three access codes renders said accessing station being denied permission to proceed with carrying out said transaction or connection.

Thomas teaches a check authorization system and process that provides an issuing company to control all aspects of the check authorization wherein three attempts are given to respond with a valid transaction number. If no valid transaction number is received, the merchant 18 is denied approval, and the on-line computer 12 is reset. If the transaction number is accepted, the employee recipient 15 is identified, and the maximum valid amount is determined (Detailed Description, Para 5).

It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the teachings of Zampese to include the feature of "a failure to match the subsequent three access codes renders said accessing station being denied permission to proceed with carrying out said transaction or connection" because, it provides a more secure system by preventing unauthorized purchases and fraud (See Zampese, column 2, lines 45-48).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-5, 7-21, 23-32, 35 and 37-53 have been considered but are moot in view of the new ground(s) of rejection. However, in response to Applicant's argument with respect to the Official Notice taken by the Examiner that downloading access codes over the Internet is old and well known in the art. The Examiner provides a reference to support his position that downloading access codes over the Internet is old and well known in the art. See (Lee et al US Patent No. 6,049,539 A), filed September 15, 1997. Lee teaches an access system and method for providing interactive access to an information source through a networked distribution system wherein "... each user terminal is provided with a terminal identification number or code which is transmitted with each access or information request in conjunction with a session ID. Using the identification number or code, the headend server can keep track of which user requested the Internet information when it is received by the headend server from the Internet through the ISP", (column 3, lines 2-15).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP ' 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Hani M. Kazimi', with a long horizontal flourish extending to the right.

**HANI M. KAZIMI**  
**PRIMARY EXAMINER**

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December 8, 2006